UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

JOE EDWARD WEBB]	
Petitioner,]	
]	
v.]	No. 3:12-0398
]	Judge Trauger
UNITED STATES OF AMERICA]	
Respondent.	1	

ORDER

In accordance with the Memorandum contemporaneously entered, the Court finds no merit in the petitioner's objections (Docket Entry Nos. 13 and 42). Said objections, therefore, are OVERRULED. The Report and Recommendation (Docket Entry No. 41) is ADOPTED and APPROVED in all regards. Respondent's Motion to Dismiss (Docket Entry No. 9) is GRANTED and this action is hereby DISMISSED.

Should the petitioner file a timely notice of appeal from this order, such notice will be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner has failed to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.

Åleta A. Trauger

United States District Judge